

Appl. No. 10/817,093
Amendment dated July 27, 2005

Amendments to the Drawings:

None.

Interview Summary

The Applicant wishes to thank the examiner for the courtesy of an interview concerning this application as described by the Interview Summary of July 5, 2005. During that interview, no specific claims were discussed. The reference relied on by the Action of June 8, 2005, U.S. Patent No. 4,627,640 (Markovics), was discussed in relation to the pop-up package decoration disclosed by the present application. The applicant's position that the album disclosed by Markovics differs substantially from that pop-up display package decoration was discussed. The examiner agreed that there are substantial differences between them, and again stated the position that the pending claims nevertheless encompass the album disclosed by Markovics. Amendments to require a package in combination with a pop-up display decoration to distinguish Markovics were discussed. No agreement was reached as to any specific amendment.

REMARKS/ARGUMENTS

Claim 1 was rejected by the Action of June 8, 2005 ("Action") as unpatentable under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,627,640 (Markovics). Claim 1 has been amended to claim a pop-up display decoration in combination with a package. Markovics does not disclose a package decoration but rather discloses an album or book assembly. Col. 1 lines 6 – 9. Markovics does not teach or suggest combining that album with a package as now recited by claim 1. The applicant submits that claim 1 is allowable for at least that reason.

Applicant submits claim 10 which is directed to a pop-up display package decoration having a foldable panel sized to overlies a portion of a side of a package that is constructed to engage the package to resist movement of the foldable panel on the package. Applicant submits that claim 10 is also allowable, and in particular is allowable over Markovics as Markovics does not teach or suggest that the disclosed album includes a foldable panel that is constructed to engage a package.

Applicant submits claim 16 which is directed to a method for decorating a package including the steps of providing a pop-up display package decoration and causing a foldable panel of the pop-up display package decoration to engage the package to resist movement on the

Appl. No. 10/817,093
Amendment dated July 27, 2005

package. Applicant submits that claim 16 is also allowable, and in particular is allowable over Markovics as Markovics does not teach or suggest a method of decorating a package and also does not teach or suggest that the disclosed album engages a package.

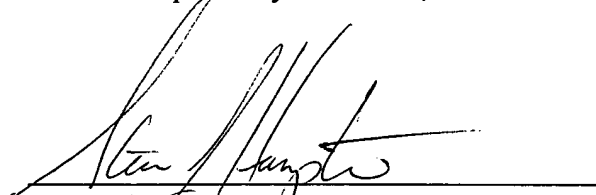
Claims 2 through 9 depend directly or indirectly from claim 1. Those claims are also allowable for at least the reasons that claim 1 is allowable. Claims 11 through 15 depend directly from claim 10 and are also allowable for at least the reasons that claim 10 is allowable. Claims 17 through 20 depend directly or indirectly from claim 16 and are allowable for at least the reasons that claim 16 is allowable.

CONCLUSION

For the reasons set out above, the Applicant submits that the claims of this application, claims 1 through 20, are in condition for allowance. Allowance of those claims is requested.

If the Examiner believes that a discussion of these claims would be useful, the Applicants request that the Examiner contact Applicants' undersigned attorney at (312) 775-8114. Please charge any additional fees or credit overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven J. Hampton", is written over a horizontal line.

Steven J. Hampton
Reg. No. 33,707
Attorney for Applicants

Date: July 27, 2005

McANDREWS, HELD & MALLOY, LTD.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661

Telephone (312) 775-8000
Facsimile (312) 775-8100